

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA

In re:

BREEZY POINT, LLC,

_____,
Debtor.

Chapter 11 Case

Case Number BKY 03-45440.

ORDER AND NOTICE FOR HEARING ON CONFIRMATION OF AMENDED PLAN

An amended disclosure statement has been approved as containing adequate information, regarding an amended plan to be considered for confirmation. The court may confirm a plan pursuant to 11 U.S.C. § 1129 after notice and a hearing.

IT IS THEREFORE ORDERED:

1. APPROVAL OF AMENDED DISCLOSURE STATEMENT. The amended disclosure statement filed by debtor, its proponent, on August 23, 2004, dated August 19, 2004, regarding the amended plan filed by the proponent on August 23, 2004, dated August 19, 2004, is approved.

2. HEARING ON CONFIRMATION OF PLAN. A hearing to consider confirmation of the amended plan will be held on September 30, 2004, at 11:00 a.m., in Courtroom No. 7W, United States Courthouse, 300 South Fourth Street, Minneapolis, Minnesota.

3. OBJECTIONS TO CONFIRMATION. An objection to confirmation of the plan shall be made by motion under Local Rule 3020-1. Five days prior to the hearing is the last day to timely deliver an objection, and eight days prior to the hearing is the last day to timely mail an objection. The objection must be filed not later than one day after service. Unless the parties agree otherwise by written stipulation, Fed. R. Civ. P. 26(a)(1), (a)(2), (a)(3) and (f) do not apply.

4. BALLOTS TO ACCEPT OR REJECT PLAN. Five days prior to the hearing is fixed as the last day to timely file the ballots to accept or reject the plan. The attorneys for the proponent and the unsecured creditors committee shall jointly count the ballots and file a report of the tabulation not later than 24 hours before the hearing under Local Rule 3020-2.

5. MAILING OF NOTICE, COPIES AND BALLOTS. Not less than thirty (30) days prior to the hearing, the proponent under supervision of its attorney shall prepare and mail pursuant to Local Rule 3017-1(a)-(b), and in accordance with the clerk's instructions, appropriate copies of this order and notice, letters of transmittal if any, the approved official form ballot, the approved disclosure statement, and the plan, to the entities specified in Local Rule 9013-3(a)(2), all creditors, equity security holders, and other parties in interest.

Dated: August 23, 2004.

/s/ Nancy C. Dreher

United States Bankruptcy Judge

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NOTICE OF ELECTRONIC FILING ENTRY ORDER OR JUDGEMENT	
AUG 23 2004	
Filed and Docket Entry Made on _____	
Lori Vosejka, Acting Clerk by: _____	

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